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TAGS: [PHUM](#) [SOCI](#) [KCRM](#) [SNAR](#) [ASEC](#) [BR](#)
SUBJECT: POOR PRISON CONDITIONS FUEL GROWTH OF PCC CRIMINAL
ORGANIZATION

REF: A) 06 Sao Paulo 751 and previous B) Sao Paulo 56

SENSITIVE BUT UNCLASSIFIED - PLEASE PROTECT ACCORDINGLY

Summary

11. (SBU) According to Sao Paulo-based public security analysts, poor prison conditions in the state are a major contributing reason for the expansion of the First Capital Command (PCC) network into one of the most powerful gangs in Sao Paulo's criminal world. While state authorities argue that actual PCC strength is limited compared with the public's perception of its force, as penitentiary conditions continue to remain poor, the PCC is consolidating its control within corrections facilities and continuing to extend its reach beyond the prison walls. The PCC has adopted the mantra of serving as a defender of prisoner rights and providing services to the jailed and their family members while simultaneously expanding its illegal activities beyond the drug trade. This is the second cable in a three-part series on Sao Paulo's jails, the rise of the PCC as a by-product of the state prisons, and what actions Sao Paulo is taking to improve the penitentiary system. Septel will address what the state government is doing to reform Sao Paulo's prisons. End Summary.

Background: More Hardened, Repeat Criminals

12. (SBU) The PCC's strength is directly linked to the poor state of prison conditions in Sao Paulo, according to public security contacts. Local legend has it that the PCC was established as a direct inmate response to the 1992 Carandiru prison massacre in which 111 prisoners were gunned down by state military police that entered the facility to quell a riot. Whether that is true or not, researchers and NGOs alike tell us that the misery experienced and anger fueled by daily life in the jails strengthen PCC recruitment and support. Eloisa Machado, Program Coordinator for the human rights NGO "Conectas," stated that the penitentiary system is

overcrowded and unsanitary and that prisoner abuse, lack of access to an attorney or medical care, and absence of post-incarceration rehabilitation programs exponentially increases the likelihood of repeat offenders (58 percent recidivist rate according to some media reports). These "battle-hardened" criminals have not just a unique opportunity to get involved with the PCC, Machado indicated, but have a constantly reinforced motivation in joining the PCC due to the poor prison conditions. Policy Coordinator Daniel Mack of Sou da Paz ("I am for Peace") Institute, an NGO focused on educational and conflict resolution programming to stem violence, said that prison abuses and overall conditions turn petty lawbreakers into hardened criminals because prisoners become aligned with gangs, learn better crime tactics, and come out of incarceration with an overwhelming hatred of the police and a propensity to feed this passion with violence. These emotions and experiences naturally make the criminals gravitate towards the PCC, he noted.

Prison Conditions Strengthen PCC

13. (SBU) Father Waldir Silveira, Sao Paulo State Coordinator and National Vice President of the Pastoral Commission for the Incarcerated, a Catholic Church organization that ministers to prisoners, said that the absence of the state within prisons has allowed the PCC as well as eleven rival gangs to flourish in Sao Paulo's jails. When prisons do not provide adequate food or water for the incarcerated, the PCC bribes guards to supply nourishment or arranges for visitors to bring in aid. Sao Paulo authorities are ineffectively monitoring family visits and thus failing to apprehend money and cell phones coming into the jails that strengthen the PCC and expand its reach, Silveira said. State police services and Brazil's Federal Police do not cooperate enough to share information on the PCC, and the law enforcement community needs to intervene to

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block PCC-linked bank accounts, a key component of the gang's growing strength, Silveira stated.

14. (SBU) Public defender Carmen Silvia de Moraes Barros noted that the PCC claims it was founded to protect prisoners' rights and that because of continued abuse within the system, the PCC has adopted the same methods of repression against the police - as well as rival gangs - as PCC members themselves face within jails. Repeating comments made by Silveira, Barros noted that the PCC has developed into a welfare agency for many of the prisoners, providing food and services to those who pledge loyalty and support. Acknowledging that many inmates' family members live far from remote state prisons, the PCC pays for bus tickets or runs shuttle services to bring relatives to visit the imprisoned. Public Defense Internal Affairs Director General Carlos Weis (a former IV), who heads Sao Paulo State's unit in charge of attorneys for the incarcerated, stated that as human rights violations increase and state support to the imprisoned decreases, the PCC has more reason to exist today than at any time in its past. Weis, who is a member of the Ministry of Justice's National Council on Criminal and Penitentiary Policy, a body responsible for analyzing, monitoring and formulating prison regulations throughout Brazil, believes the PCC controls over half of the state prisons. As evidence of the group's strength, he cited the recent period of relative calm throughout the system, in contrast to the usual pattern of riot and revolt. Weis said that a tacit agreement exists between the PCC and the state government in which Sao Paulo does not abuse the gang's leadership as long as the PCC does not incite large rebellions. Weis told us that no mass-scale prison uprisings have occurred since May 2006 when the PCC waged a murderous battle against police and prison guards that shut down large parts of Sao Paulo (Ref A) and violently disrupted at least forty penitentiaries.

Violence and other Means to Demonstrate Strength

15. (SBU) Secretary General Joao Alfredo de Oliveira of the Sao Paulo State Prison System Employees Union (SIFUSPESP) - made up of 23,000 internal prison guards, 4,000 prison external perimeter guards and approximately 7,000 social workers, drivers, physicians, psychologists and administrative staff in the state penitentiary

network - stated that the PCC was responsible for the deaths of 16 prison guards, 21 military police and 6 civil police during the May 2006 wave of violence. Today, the PCC has changed its tactics to maintain a campaign of "gradual killings" in which one agent is murdered every few months instead of during a large-scale wave of violence, leading to the murders of 15 guards since May 2006. Following the 2006 incidents, law enforcement authorities were able to divide up the PCC leadership but somehow today the leadership still maintains contact, Oliveira said. The number of cell phones PCC members use to coordinate activities has not decreased, nor has the number of cell phones seized by authorities, he observed. Oliveira believes that a December 24, 2007 incident confirms that the PCC still wields much force. After learning that two PCC leaders were being transferred to a prison where opposing gangs were housed, inmates at fifty facilities across the state mobilized in protest. Oliveira explained that in a non-violent manner, the incarcerated in these fifty units refused to enter their cells after being allowed to go outside for their daily allotted time.

¶6. (SBU) University of Sao Paulo Center for the Study of Violence (USP-NEV) Researcher Fernando Salla blames the State of Sao Paulo for the growth and continued strength of the PCC. While the police were able to apprehend many cell phones following the 2006 riots, the PCC quickly rebounded and got cell phones back into the prisons again, Salla said. Demonstrating its proven ability to communicate between jails, Salla noted that the PCC recently initiated a campaign in which the incarcerated flooded NGOs with letters to complain about prison abuses. In another effort, the PCC leadership instructed hundreds of members to start a hunger strike. Salla believes the PCC will continue to adopt new methods in order to

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highlight its strength and message.

State Views on PCC

¶7. (SBU) Sao Paulo State authorities hold a different view on the PCC's power. Secretary for Prison Administration Antonio Ferreira Pinto told Poloff that despite media stories and public fears to the contrary, actual PCC strength is significantly limited. According to Pinto, the law enforcement community has exaggerated the PCC's power in order to benefit police officers who often own or run private bodyguard services and companies that produce and sell alarms and tinted car windows. (Note: Brazil's upper class and many middle-class families resort to these means of self-protection, generating the equivalent of millions of dollars in annual revenue for security-related businesses. End Note.) Despite commonly-held views, Pinto said the state succeeded in dividing up the PCC's leadership after the 2006 wave of violence, making a similar outbreak impossible to coordinate. He added that although PCC supporters are becoming more creative in their tactics to bring in cell phones or hidden weapons, the state is working on maintaining its vigilance, including installing new metal detectors in prison facilities.

¶8. (SBU) Following the 2006 attacks, state authorities took several steps to break up the PCC's strength, according to State Secretariat for Public Security (SSP) Planning and Analysis Coordinator Tulio Kahn. Kahn said that Sao Paulo created a unified prison intelligence department to monitor the inmates' telephone conversations with individuals outside of the prisons. He added that many of the PCC leaders were killed in May 2006 and that the police force was able to sap the gang's strength by isolating some of the organization's bosses in a better-operated and maintained prison. Additionally, he believes that the law enforcement community, including the Federal Police, Ministry of Public Security, SSP, State Penitentiary Administration (SAP) and other units cooperate much more effectively since 2006. Kahn agrees, however, with the prevailing view that as long as prisoners face overcrowding and poor conditions, the PCC will continue to exert its power.

Mission Brazil Public Affairs Outreach on PCC

¶9. (U) Mission Brazil has actively engaged with our contacts in order to better understand the PCC and what we can do to help the public deal with the criminal organization. Working with the NGO Sou da Paz, the Public Affairs Office invited four U.S. specialists to participate in a conference organized by the "Organization on Combating Organized Crime" that took place in September 2006. These speakers included the Director of Chicago-based NGO Cease Fire, addressing issues related to community response to gang violence, a New York federal prosecutor, addressing legal mechanisms used under U.S. law to combat organized crime, a DOJ specialist in prison administration (who had previously visited Sao Paulo to evaluate prison management issues), and a police chief from California, addressing issues related to community policing and combating gangs.

In addition to participating in the conference, each of those speakers had additional meetings with appropriate governmental institutions in three consular districts. Brazil's International Visitor Committee selected a single country group IV project on prison administration that will travel to the U.S. in April 2008 consisting of participants from throughout Brazil. In May 2008, Post will send a Voluntary Visitor group to the U.S. on the issue of community response to gang violence.

Comment

¶10. (SBU) Although it is difficult to measure PCC strength in concrete terms (money, manpower, number of crimes committed, etc.),

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part of the organization's "power" derives from the public's fear of the gang's supposed reach and ability to literally shut down South America's largest city. As long as Sao Paulo's residents worry that the PCC will strike again, the gang is still able to wield its influence through perceived force. While the state has taken some steps to limit the PCC's growth which septel will address in more depth - the nightmarish and chaotic prison conditions continue to reinforce the PCC's reach, whether real or imagined. End Comment.

¶11. (U) Embassy Brasilia coordinated and cleared this cable.

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